

VG-192-2022-2022007947

Reeves County
Dianne O. Florez
Reeves County Clerk

Instrument Number: 2022007947

Real Property Recordings

AFFIDAVIT

Recorded On: November 14, 2022 11:11 AM

Number of Pages: 15

" Examined and Charged as Follows: "

Total Recording: \$78.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2022007947
Receipt Number: 20221114000015
Recorded Date/Time: November 14, 2022 11:11 AM
User: Rebecca G
Station: CLERK07

Record and Return To:

MK MARLOW COMPANY LLC
16116 COLLEGE OAK

SAN ANTONIO TX 78249



STATE OF TEXAS
Reeves County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time
printed hereon, and was duly recorded in the Official Records of Reeves County, Texas

Dianne O. Florez
Reeves County Clerk
Reeves County, TX

Dianne O. Florez

STATE OF TEXAS

§

COUNTY OF REEVES

§

§

AFFIDAVIT FOR MECHANIC'S LIEN

BEFORE ME the undersigned authority, personally appeared Malcolm Scott Farrar, who upon his oath, deposed and stated the following:

1. "My name is Malcolm Scott Farrar. I am the Director of Operations of MK Marlow Company, LLC, hereinafter sometimes referred to "Claimant." I am over 21 years of age, am competent and authorized to make this affidavit and have personal knowledge of the facts set forth below which are true and correct. Claimant's business address is 16116 College Oak, San Antonio, Texas 78249.

2. Claimant, a subcontractor, furnished labor and materials for improvements to the real property described herein, pursuant to a contract by and between Claimant and Huband-Mantor Construction, Inc., whose last known address is 43000 IH 10 West, Boerne, Texas 78006.

3. The labor, materials, and work furnished by Claimant are generally described as Metal Framing and Install of Exterior Filter Insulation and further reflected in the invoices/payment requests attached herein as Exhibit "B". The amount due and owing, and unpaid to Claimant for the labor and/or materials is \$83,744.45, including \$24,157.65 in retainage that is or will become due upon completion or termination of the contract. This amount is true, correct and just, and all lawful offsets, payments, and credits known to Claimant have been provided. Claimant furnished the labor, materials and work in the month of July 2022.

4. The real property and improvements sought to be charged with this lien by Claimant is described as follows: 1851 FM 2119, Pecos, Reeves County, Texas 79772, and as further referenced in the attached Exhibit "A" (collectively "Property")

5. The name of the owner or reputed owner of the Property is JRC/RGG34 Trade Tracts, LTD., c/o Jefferson Realty Co., 600 Jefferson, Suite 330, Houston, Texas 77002 and Core Scientific, Inc. ("CSI"), whose last known address is 210 Barton Springs Road, Suite 300, Austin, Texas 78704 and 2800 Northup Way, Suite 220, Bellevue, Washington, 98004. Claimant understands that some or all of the Property may be leased to CSI and Claimant claims a lien as to CSI's interest in the Property and some or all of the improvements located thereon.

6. Notice of the claim was sent to the owner or reputed owner, general contractor, and CSI on October 14, 2022, and November 11, 2022 via certified mail, return receipt requested.

7. Claimant claims a lien and, if applicable, a constitutional lien upon the Property in the amount shown above pursuant to Chapter 53 of the Texas Property Code and the State of Texas Constitution.

8. One copy of this Affidavit is being sent via certified mail, return receipt requested to the owner, the general contractor and CSI, at their respective last known addresses."

FURTHER AFFIANT SAYETH NOT.

MK MARLOW COMPANY, LLC

By: 

Authorized Representative of Claimant

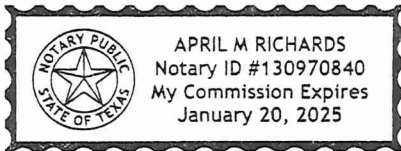
STATE OF TEXAS

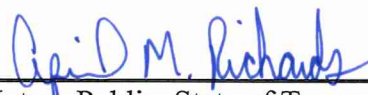
§
§
§

COUNTY OF BEXAR

SUBSCRIBED AND SWORN TO by the said Malcolm Scott Farrar, on this 11th day of November, 2022, who acknowledged to me that he is the authorized agent and representative of MK Marlow Company, LLC, and that he has signed this Affidavit for Mechanic's Lien in his stated capacity with full authority to do so and declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 11th day of November 2022.

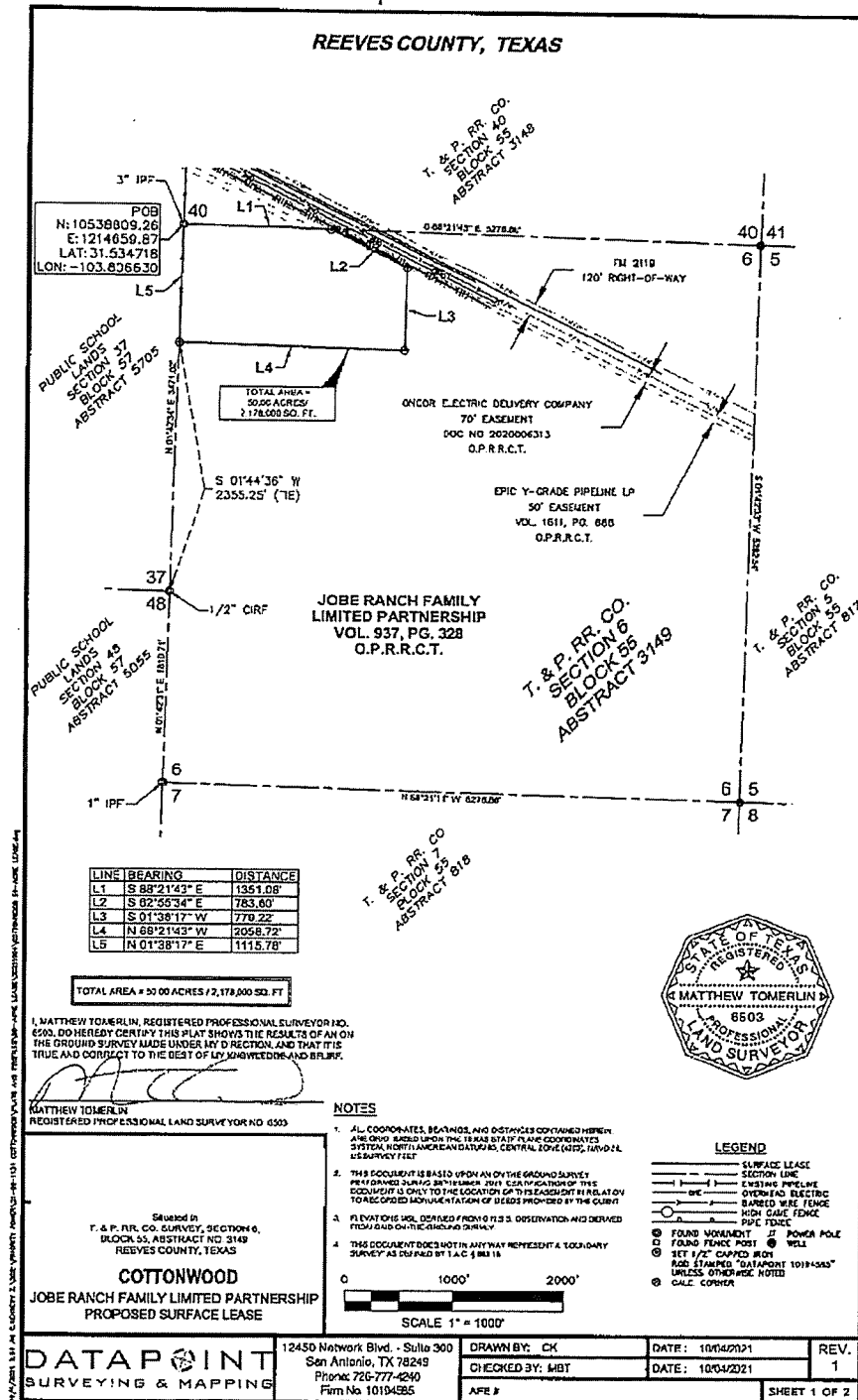



Notary Public, State of Texas
My Commission Expires: 01/20/2025

After Recording, Return To:

ERIC L. SCOTT
SCOTT VISCUSO, PLLC
1105 N. BISHOP AVENUE
DALLAS, TEXAS 75208

2022 - 2022007227 10/20/2022 08:45 AM Page 5 of 13

EXHIBIT "A"

2022 - 2022007227 10/20/2022 08:45 AM Page 6 of 13

EXHIBIT
REEVES COUNTY, TEXAS
T. & P. RR. CO. SURVEY, SECTION 6, BLOCK 55, ABSTRACT 3149

PRIORITY POWER
COTTONWOOD
JOBE RANCH FAMILY LIMITED PARTNERSHIP

50.00 ACRE SURFACE LEASE

Being a 50.00 acre surface lease located in the T. & P. RR. Co. Survey, Section 6, Block 55, Abstract 3149, Reeves County, Texas; being part of a tract of land described in Deed to Jobe Ranch Family Limited Partnership as recorded in Volume 937, Page 328 of the Official Public Records of Reeves County Texas; said surface lease being more particularly described as follows:

BEGINNING at a 3-inch iron pipe found for the Northwest corner of said Section 6;

THENCE S 88°21'43" E, a distance of 1,351.08 feet, to a 1/2-inch capped iron rod stamped "DATAPOINT 10194585" set for corner;

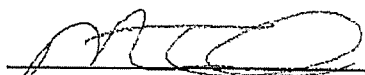
THENCE S 62°55'34" E, a distance of 783.60 feet, to a 1/2-inch capped iron rod stamped "DATAPOINT 10194585" set for corner;

THENCE S 01°38'17" W, a distance of 779.22 feet, to a 1/2-inch capped iron rod stamped "DATAPOINT 10194585" set for corner;

THENCE N 88°21'43" W, a distance of 2,058.72 feet, to a 1/2-inch capped iron rod stamped "DATAPOINT 10194585" set for corner, from which a 1/2-inch capped iron rod found for the Northeast corner of Public School Lands Survey, Section 48, Block 57, Abstract 5055 bears S 01°44'36" W a distance of 2,355.25 feet;

THENCE N 01°38'17" E, a distance of 1,115.78 feet, to the **POINT OF BEGINNING**, in all containing 2,178,000 square feet or 50.00 acres, more or less.

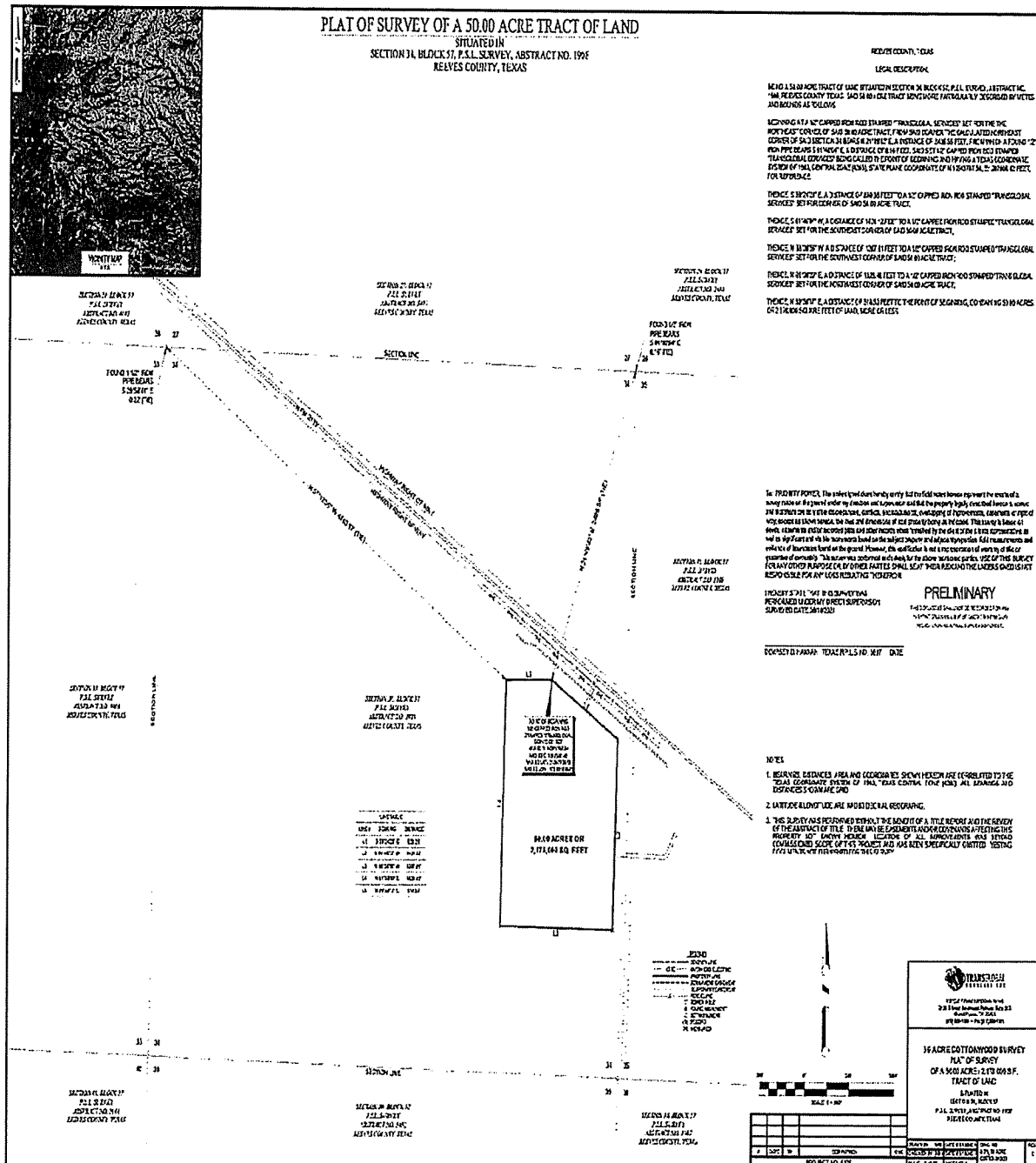
I, Matthew Tomerlin, Registered Professional Land Surveyor No. 6503 of the State of Texas, do hereby certify this plat shows the results of an on the ground survey made under my direction.
Original signed and stamped in red ink.

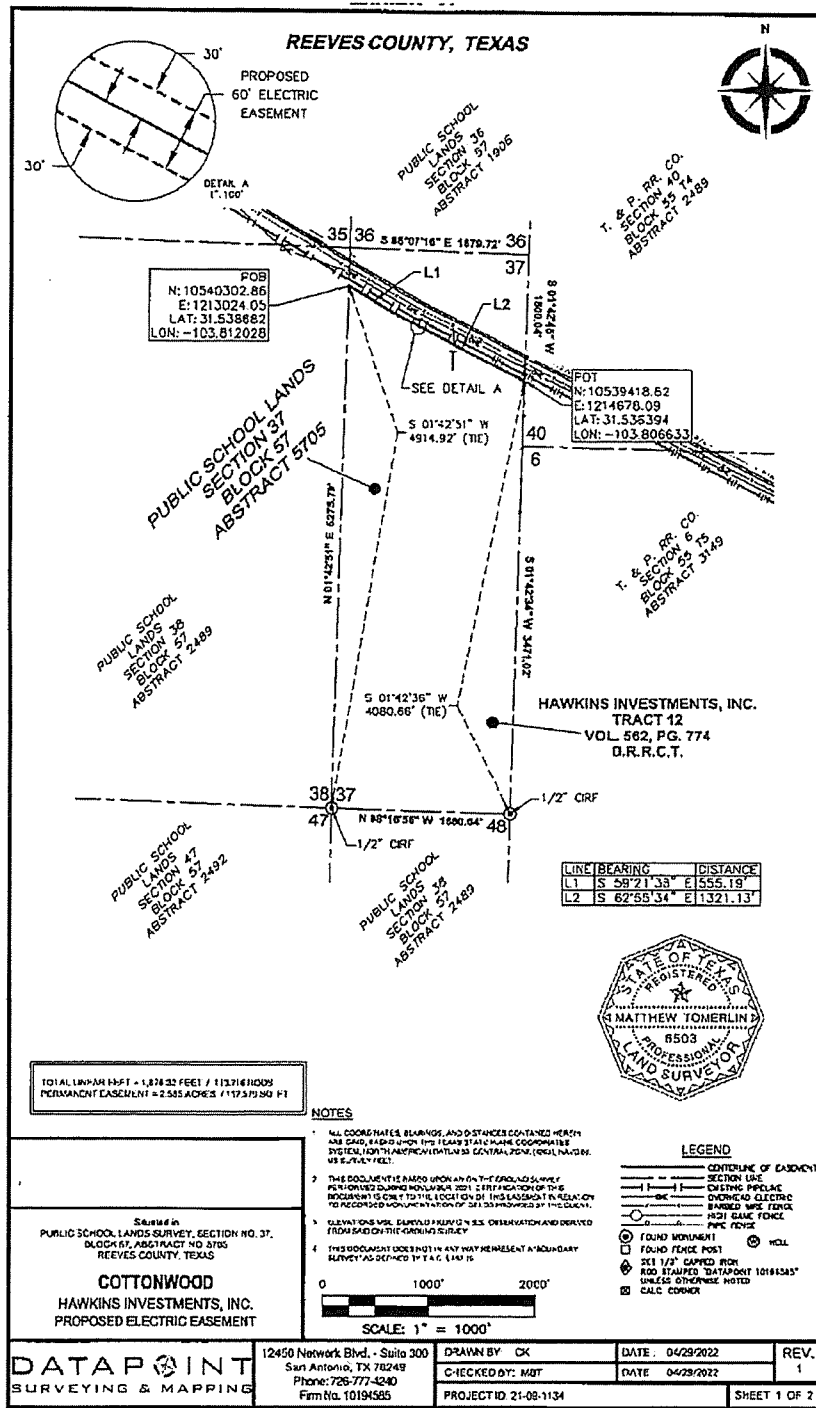


Date of Signature: October 4, 2021

MATTHEW TOMERLIN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6503
FIRM REGISTRATION/LICENSE NO. 10194585
FOR DATAPOINT SURVEYING AND MAPPING
12450 NETWORK BLVD, SUITE 300
SAN ANTONIO, TX. 78249
(777) 726-4240 OFFICE
(777) 726-4241 FAX







REEVES COUNTY, TEXAS
PUBLIC SCHOOL LANDS SURVEY, SECTION 37, BLOCK 57, ABSTRACT 5705

PRIORITY POWER
COTTONWOOD
HAWKINS INVESTMENTS, INC.

**PROPOSED 60 FEET WIDE
ELECTRIC EASEMENT**

Being a Centerline description of a proposed 60 foot-wide easement being located in the Public School Lands Survey, Section 37, Block 57, Abstract 5705, Reeves County, Texas; being part of a tract of land (Tract 12) described in Deed to Hawkins Investments, Inc. as recorded in Volume 562, Page 774 of the Deed Records of Reeves County Texas; said easement being described by a centerline which is bound by lines 30 feet each side and parallel to said centerline and being more particularly described as follows:

BEGINNING at a point in the West line of said Section 37, from which a 1/2-inch capped iron rod found for the Southwest corner of said Section 37, bears S 01°42'51" W, a distance of 4,846.37 feet;

THENCE S 59°21'38" E, a distance of 555.19 feet to a point;

THENCE S 62°55'34" E, a distance of 1,321.13 feet to the **POINT OF TERMINATION**, from which a 1/2-inch capped iron rod found for the Southeast corner of said Section 37, bears S 01°42'36" W, a distance of 4,014.26 feet, with said easement containing 112,520 square feet or 2.583 acres of land, more or less, said easement having a centerline length of 1,876.32 feet or 113.716 rods.

I, Matthew Tomerlin, Registered Professional Land Surveyor No. 6503 of the State of Texas, do hereby certify this plat shows the results of an on the ground survey made under my direction.
Original signed and stamped in red ink.

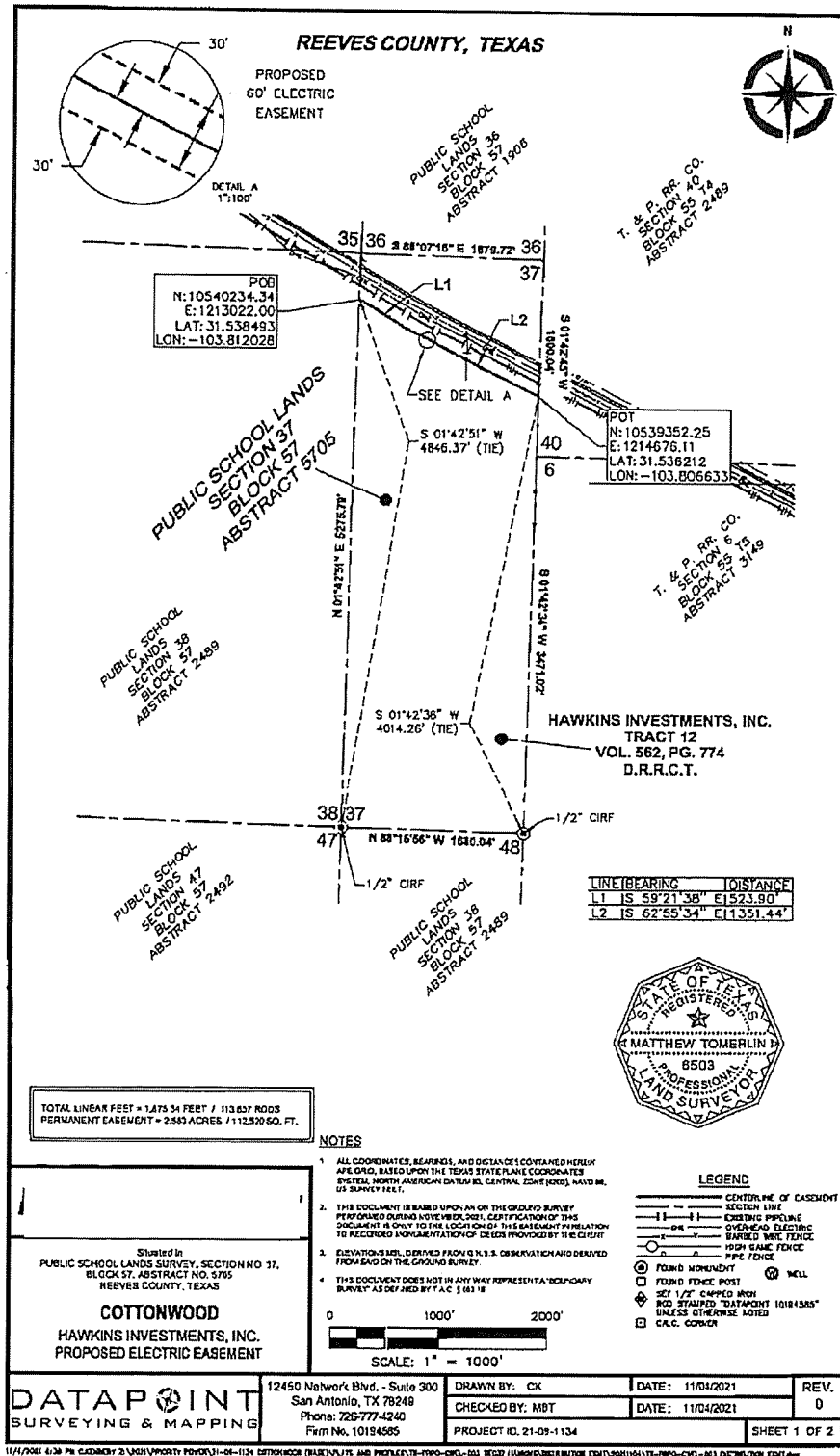


Date of Signature: April 29, 2022

MATTHEW TOMERLIN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6503
FIRM REGISTRATION/LICENSE NO. 10194585
FOR DATAPOINT SURVEYING AND MAPPING
12450 NETWORK BLVD, SUITE 300
SAN ANTONIO, TX. 78249
(777) 726-4240 OFFICE
(777) 726-4241 FAX



2022 - 2022007227 10/20/2022 08:45 AM Page 10 of 13



2022 - 2022007227 10/20/2022 08:45 AM Page 11 of 13

REEVES COUNTY, TEXAS
PUBLIC SCHOOL LANDS SURVEY, SECTION 37, BLOCK 57, ABSTRACT 5705

COTTONWOOD
HAWKINS INVESTMENTS, INC.

**PROPOSED 60 FEET WIDE
ELECTRIC EASEMENT**

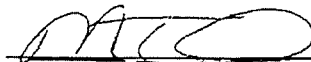
Being a Centerline description of a proposed 60 foot-wide easement being located in the Public School Lands Survey, Section 37, Block 57, Abstract 5705, Reeves County, Texas; being part of a tract of land (Tract 12) described in Deed to Hawkins Investments, Inc. as recorded in Volume 562, Page 774 of the Deed Records of Reeves County Texas; said easement being described by a centerline which is bound by lines 30 feet each side and parallel to said centerline and being more particularly described as follows:

BEGINNING at a point in the West line of said Section 37, from which a 1/2-inch capped iron rod found for the Southwest corner of said Section 37, bears S 01°42'51" W, a distance of 4,846.37 feet;

THENCE S 59°21'38" E, a distance of 523.90 feet to a point;

THENCE S 62°55'34" E, a distance of 1,351.44 feet to the **POINT OF TERMINATION**, from which a 1/2-inch capped Iron rod found for the Southeast corner of said Section 37, bears S 01°42'36" W, a distance of 4,014.26 feet, with said easement containing 112,520 square feet or 2.583 acres of land, more or less, said easement having a centerline length of 1,875.34 feet or 113.657 rods.

I, Matthew Tomerlin, Registered Professional Land Surveyor No. 6503 of the State of Texas, do hereby certify this plat shows the results of an on the ground survey made under my direction.
Original signed and stamped in red ink.



MATTHEW TOMERLIN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6503
FIRM REGISTRATION/LICENSE NO. 10194585
FOR DATAPoint SURVEYING AND MAPPING
12450 NETWORK BLVD, SUITE 300
SAN ANTONIO, TX. 78249
(777) 726-4240 OFFICE
(777) 726-4241 FAX

Date of Signature: November 4, 2021



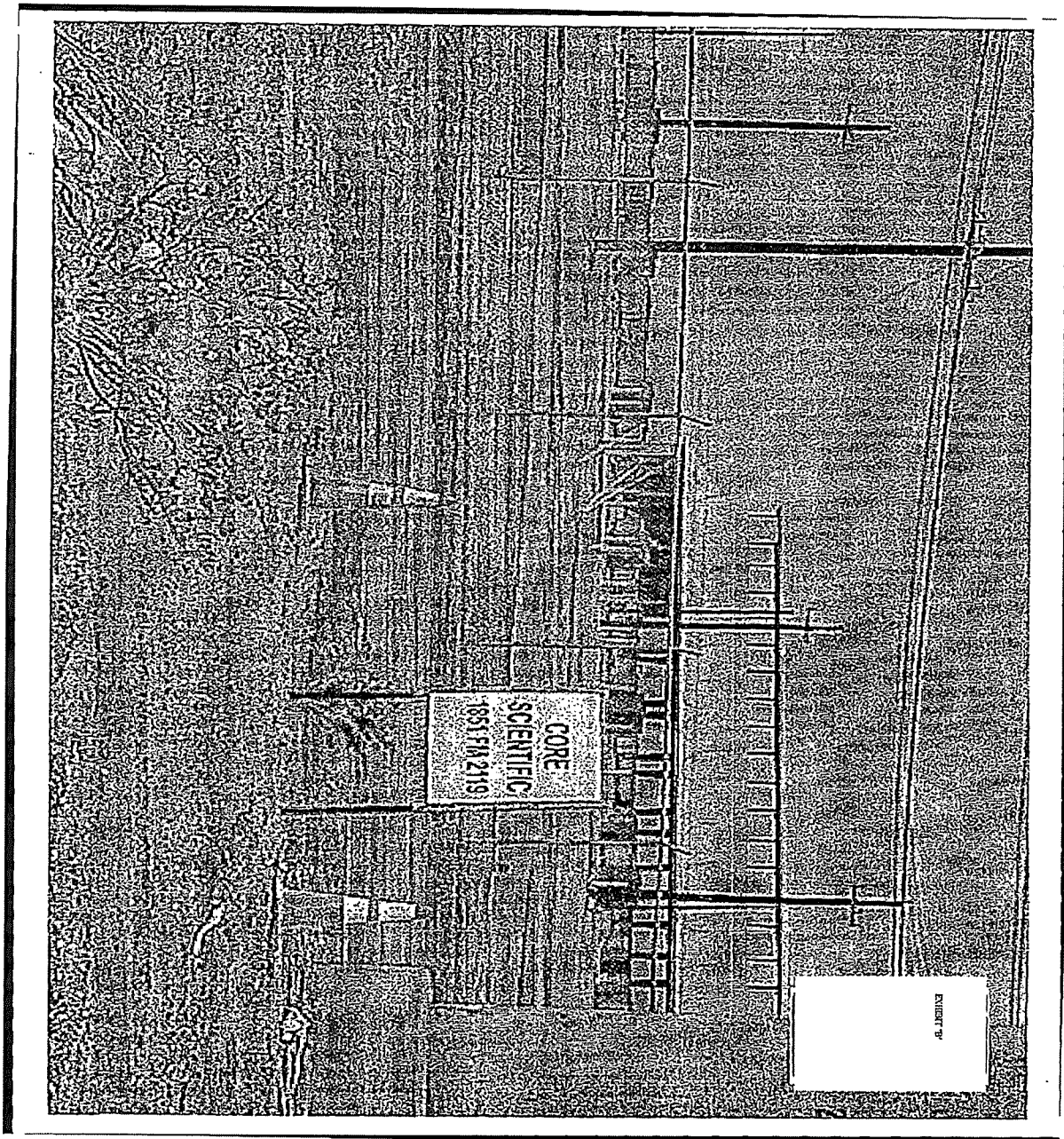


Exhibit "B"**SUBCONTRACTOR'S/SUPPLIER'S APPLICATION FOR PAYMENT**

TO: Huband-Mantor Construction, Inc.
43000 IH-10 West
Boerne, Texas 78006

Application No. 3
Period From: 07/01/2022
Period To: 07/31/2022
Invoice #: 5837

From: MK Marlow Company, LLC
16116 College Oak Drive
San Antonio, TX 78249

*Pay Application due to HMC by
20th of each month*

Project: Core Scientific Cottonwood #2
Pecos, Texas

1. Original Contract Amount.....	<u>697,900.00</u>
2. Approved Change Orders.....	<u>0 00</u>
3. Revised Contract Amount.....	<u>697,900.00</u>
4. Total Complete to Date.....	<u>483,153.00</u>
5	
5. Less 10% Retainage.....	<u>24,157.65</u>
6. Total Earned to Date.....	<u>458,995.35</u>
7. Less previous Payment Applications.....	<u>399,408.55</u>
8. NET AMOUNT DUE THIS ESTIMATE.....	<u>59,586.80</u>
9. BALANCE LEFT TO DRAW	<u>238,904.65</u>

CERTIFICATE OF THE SUBCONTRACTOR:

I hereby certify that the work performed and the materials supplied to date, as shown on the above represent the actual value of accomplishment under the terms of the Contract (and all authorized changes thereto) between the undersigned and Huband-Mantor Construction, Inc. relating to the above referenced project.

I also certify that payments, less applicable retention, have been made through the period covered by previous payments received from the contractor, to (1) all my subcontractors (sub-contractors) and (2) for all materials and labor used in or in connection with the performance of this contract. I further certify I have complied with Federal, State and local tax laws, including Social Security laws and Unemployment laws and Workers Compensation laws as applicable to the performance of this contract.

SUBCONTRACTOR: MK Marlow Company, LLC
BY: 
TITLE: CEO

APPLICATION AND CERTIFICATE FOR PAYMENT

INVOICE Page 1

To(OWNER): HUBAND-MANTOR CONSTRUCTION
43000 IH-10 WEST
BOERNE, TX 78006

Project: COTTONWOOD-PECOS PROJECT #2
1851 FM 2119
PECOS, TX 79772

Application No: 3
Invoice No: 5837
Period To: 7/31/2022

From: MK MARLOW COMPANY LLC
16116 COLLEGE OAK DRIVE
SAN ANTONIO, TX 78249

Via(Architect): MJDII ARCHITECTS INC
16775 ADDISON RD
SUITE 310
ADDISON, TX 75001

Architect's
Project No: 22009
Invoice Date: 7/15/2022
Contract Date: 4/27/2022

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Approved previous months	0.00	0.00
Approved this month	0.00	0.00
TOTALS	0.00	0.00
Net change by change orders	0.00	

1. ORIGINAL CONTRACT SUM \$ 697,900.00
2. Net change by Change Orders..... \$ 0.00
3. CONTRACT SUM TO DATE(Line 1 +/- 2)..... \$ 697,900.00
4. TOTAL COMPLETED & STORED TO DATE..... \$ 483,153.00
5. RETAINAGE..... \$ 24,157.65
6. TOTAL EARNED LESS RETAINAGE..... \$ 458,995.35
(Line 4 less Line 5)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT..... \$ 399,408.55
(Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE..... \$ **59,586.80**

9. BALANCE TO FINISH, PLUS RETAINAGE..... \$ 238,904.65
(Line 3 less Line 6)

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: MK MARLOW COMPANY LLC

By: _____

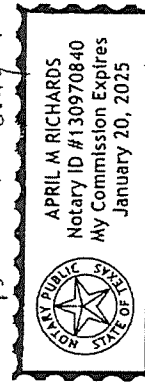
Date: 6/15/2022

State of: TX

Subscribed and sworn to before me this 15th day of July, 2022

Notary Public: April M. Richards

My Commission expires: 1/20/2025



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$
(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT: MJDII ARCHITECTS INC

By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

Application Number: 3
 Application Date: 7/15/2022
 Period To: 7/31/2022
 Architect's Project No: 22009

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED AND STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREV. APPLICATION (D+E)	THIS PERIOD				
1	MOBILIZATION	65,000.00	65,000.00	0.00	0.00	65,000.00	0.00	3,250.00
2	EQUIPMENT	20,000.00	0.00	0.00	0.00	0.00	20,000.00	0.00
3	TECH BUILDING: INTERIOR FRAMING LABOR	30,054.79	0.00	0.00	0.00	0.00	30,054.79	0.00
4	TECH BUILDING: INTERIOR FRAMING MATERIAL	37,607.15	0.00	0.00	0.00	0.00	37,607.15	0.00
5	TECH BUILDING: INSULATION LABOR	19,129.82	0.00	0.00	0.00	0.00	19,129.82	0.00
6	TECH BUILDING: INSULATION MATERIAL	20,322.76	0.00	0.00	0.00	0.00	20,322.76	0.00
7	TECH BUILDING: DRYWALL LABOR	23,379.39	0.00	0.00	0.00	0.00	23,379.39	0.00
8	TECH BUILDING: DRYWALL MATERIAL	19,691.06	0.00	0.00	0.00	0.00	19,691.06	0.00
9	TECH BUILDING: ACOUSTICAL CEILING LABOR	20,605.47	0.00	0.00	0.00	0.00	20,605.47	0.00
10	TECH BUILDING: ACOUSTICAL CEILING MATERIAL	23,956.56	0.00	0.00	0.00	0.00	23,956.56	0.00
11	ANT BUILDING: FRAMING LABOR	160,520.00	136,442.00	24,078.00	0.00	160,520.00	0.00	8,026.00
12	ANT BUILDING: FRAMING MATERIAL	117,333.00	99,733.05	17,599.95	0.00	117,333.00	0.00	5,866.65
13	ANT BUILDING: FILTER/SHEATHING LABOR	140,300.00	119,255.00	21,045.00	0.00	140,300.00	0.00	7,015.00
	Totals	697,900.00	420,430.05	62,722.95	0.00	483,153.00	214,747.00	24,157.65